

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

KEITH DOHSE,

Plaintiff,

vs.

**JOHN E. POTTER, United States
Postal Service Postmaster General,**

Defendant.

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8:04CV355

ORDER

This matter is before the court on the motion of Howard N. Epstein to withdraw as counsel for the plaintiff (Filing No. 82). Mr. Epstein states he cannot effectively represent the plaintiff because the plaintiff has failed to maintain contact with the movant, make payments pursuant to the fee agreement, and has a fundamental disagreement with counsel regarding future representation. Keith Dohse objects to the withdrawal and contends he has made every effort, despite personal hardships, to facilitate the attorney-client relationship. **See** Filing No. 87. In reply, Mr. Epstein details the communication and other problems between he and Mr. Dohse. **See** Filing No. 89. Mr. Epstein states that after filing the motion to withdraw, Mr. Dohse made payments toward his bill. Accordingly, Mr. Epstein sent Mr. Dohse a letter stating that if Mr. Dohse were willing to cooperate with counsel, the attorney-client relationship may be salvaged. However, Mr. Dohse did not respond to the letter. Under the circumstances of this case and upon consideration,

IT IS ORDERED:

1. Howard N. Epstein's motion to withdraw (Filing No. 82) is granted. The Clerk of Court shall stop all electronic notices to Howard N. Epstein regarding this case.
2. The plaintiff Keith Dohse is now proceeding *pro se* and counsel for the defendant may communicate with the plaintiff directly.
3. A conference with the undersigned magistrate judge will be held **on June 11, 2007 at 1:30 p.m.** in Courtroom No. 7 Roman L. Hruska U.S. Courthouse located at 111 South 18th Plaza, Omaha, Nebraska, 68102, for the purpose of reviewing the preparation of the case to date and the scheduling of the case to trial.

4. The Clerk of Court shall reassign this case to the *pro se* docket in accordance with the United States District Court for the District of Nebraska Pro Se Procedures III(C)(1).

5. The Clerk of Court shall send a copy of this order to the plaintiff at:

Keith Dohse
HC 91 11D
Gordon, NE 69343

DATED this 23rd day of May, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge